THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.20638 of 2002
Date: 12-09-2007

Between:
V.Bichanna

Petitioner

And

The Revenue Divisional Officer,
Sangareddy, Medak District and another

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.20638 of 2002

ORDER:

1. The writ petitioner is a fair price shop dealer at Rejinthal village of Nyalkal Mandal, Medak District. Through the orders dated 4th October,2002, the Revenue Divisional Officer, Sangareddy, suspended the authorization issued in favour of the writ petitioner entertaining certain allegations of irregularities said to have been committed by the writ petitioner in the matter of distribution of Rice under the Food for Work Programme. Unfortunately, the impugned order did not indicate that the order of suspension to be an interim measure. In this view of the matter, while entertaining this writ petition, this court by order dated 11-10-2002 suspended the operation of the orders passed by the Revenue Divisional Officer on 4th October, 2002, in deference of the view expressed by this Court in an earlier judgment reported in **B.Venkateswara Rao Vs. Revenue Divisional Officer, Bhadrachalam, Khammam District**[1]. 2. It is represented by Sri V.Ravikiran Rao, the learned counsel for the writ petitioner that by virtue of interim orders passed by this court, the writ petitioner is directed to carry on the distribution of the essential commodities, but however, no enquiry has ever been conducted into the alleged irregularities said to have been committed by the petitioner.

3. In this view of the matter, I consider it appropriate to direct the

Revenue Divisional Officer to hold an enquiry providing a fair and reasonable opportunity to the writ petitioner and then alone pass orders considered appropriate in the matter. He shall also take into account and consideration the fact that nearly five years have elapsed from the time the orders have been passed by him on 4th October,2002 suspending the authorization of the writ petitioner. It is needless to observe that the Revenue Divisional Officer will pass a speaking order dealing with the explanation of the writ petitioner on it's merits. The enquiry be completed latest by 31st December,2007. Till such time, the writ petitioner shall continue to be the dealer of the fair price shop concerned, unless there was any other incriminating material that has come to the notice of the respondents in the meantime.

4. With this, the writ petition stands disposed of. No order as to costs.

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NOOTY RAMAMOHANA RAO,J

12-09-2007
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[1] 1996 (3) ALD 885